



INSIDE NLS

News from the front lines of Neighborhood Legal Services

November, 2019

NLS Bids Farewell to Krista McDonald



After more than 40 years on the job, Krista McDonald is taking the next step and will be retiring in December, 2019. Krista's first day of work at NLS was on July 16, 1979. Krista worked as a paralegal in what was then called the Welfare Unit NLS had recently closed its neighborhood offices and moved into the Ellicott Square Building. As a paralegal, Krista screened calls, advised clients

seeking help and represented clients at fair hearings.

Five years later New York State created the statewide Disability Assistance Program to represent persons whose applications for Supplemental Security Income and Social Security Disability benefits had been denied. Because these benefits are paid entirely by the federal government, New York thought it might save money by moving residents from public assistance programs to SSI or SSD. *(con't on page 4)*

*"One moment can
change a day,
One day can change
a life,
One life can change the
world."*

- Buddha

**NLS does not use the
actual names of clients
in *Inside NLS*.**



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A Look Back at NLS Through the Years

With all the wonderful and positive changes taking place at NLS, we thought it would be fun and informative to look back at the history of NLS. Seeing where we came from can sometimes help to focus our view on the future moving forward.

NLS Incorporates and Consolidates Neighborhood Offices 1975—1978

NLS incorporated separately from the Legal Aid Bureau in 1976. Federal funding for legal services was growing and other sources of funding were becoming available. The prime motivation for the separation was the hope that by splitting off, more money for legal services for the poor could be brought into Erie County. This proved to be the case. Francis J. Offerman, Jr., then President of the Bar Association of Erie County, helped to establish NLS as a separate corporation and helped to negotiate the smooth transition from a project of the Bureau to a separate not-for-profit corporation.



On October 31, 1978, NLS consolidated its neighborhood offices into one office in the Ellicott Square Building. This decision was particularly difficult. The intent underlying neighborhood offices -- keeping staff in close touch with the community they served -- was clearly worthwhile. Closing the neighborhood offices was controversial within the client community. But, on balance and as experience has shown, the negatives outweighed the positives.

Many factors contributed to the decision to consolidate. First, maintaining neighborhood offices was very expensive. Consolidating the offices meant substantially reducing the "nonpersonnel" costs. This, of course, meant more money to hire advocates.

Second, the staff of NLS was concerned that existence of the neighborhood offices inhibited the practice of high quality legal work on behalf of clients. Travel to and from downtown for hearings or court was wasted time. Each attorney had to be a generalist and could not specialize in any particular area. Case reviews were unheard of and advocates had to rely largely on their own legal knowledge without peer support.

In addition, in 1974, the Legal Services Corporation came into existence and NLS was awarded funds to provide legal services to all of the low-income residents in Buffalo and, four years later, to all of Erie County. The neighborhood offices would not have been appropriate to meet these expanded responsibilities.

The Ellicott Square Building proved to be a great location. It was accessible to the courts and various county offices, thus dramatically reducing travel time. Also, the Ellicott Square Building, because of its central location, proved to be convenient to clients who could reach it by public or private transportation.

NEXT: Large Increases in Staff and Creation of Substantive Law Units (1975-1978)

NLS Good News!

Inside NLS is proud to welcome a new generation of attorneys and staff to Neighborhood Legal Services.

First, Congratulations to long-time NLS File Clerk, Michelle Voss, who has been named a new paralegal in the Disability Unit. Michelle is joined by another new paralegal, Ashley Gallagher.

The Family Law Unit welcomes Ed Martnshin as their new staff attorney.

The Public Benefits Unit welcomes new staff attorneys Valeriya Nitko, Michael Reiser and Larry Summers who will all be working on our new Medical/Legal Partnership Project. You may recognize Larry who recently completed an internship with NLS.

And finally, the new face you have all seen at the reception desk is Jess Mendez -Leva who is filling in for Uve while she is on maternity leave.

Welcome aboard everyone!

Illegal Lockout & Money Judgment

Nico Sorio, staff attorney in the Housing Unit in Buffalo, recently represented a client, Josh, who had been living in his home for almost five years. The relationship with his landlord, who lived in the unit below him, began to deteriorate and the landlord asked Josh to start looking for another place to live. When Josh let his landlord know that he had found a new home for the beginning of October, things rapidly began to escalate. Through a series of text messages, the landlord threatened to have Josh arrested if he attempted to return to the property, told him the locks would be changed, and that she would begin selling off his personal belongings to cover rent for the month of October.

Josh attempted to regain entry through the Buffalo Police Department, but neither he nor the officers could get the landlord to answer her door. Josh was separated from his heart medication and was unable to afford replacement medication on such short notice. Josh sought our help on October 1st and, on the same day, Nico filed an emergency Order to Show Cause in Buffalo City Court. The order permitted Josh to use the Buffalo Police Department or the Marshals Office to regain entry into the property, recover his medication and remain there until the hearing date.

On the evening of October 1st, Josh returned to his home to collect his property and his heart medication. Upon entering the home with officers, Josh, discovered that a number of his belongings had been either stolen or disposed of by the landlord. The entire time he packed, the landlord demanded that he and the officers leave as they were allegedly trespassing on her property.

Despite being presented with the order on the 1st and receiving service of the Order to Show Cause, the landlord failed to appear in Buffalo City Court on the hearing date of October 8th. At that time, Josh provided testimony and Nico entered the evidence of her text messages to Josh threatening to sell his belongings. The judge awarded Josh \$1,100, an estimate of the face-value of his lost property. Good work Nico!

Congratulations!

Receptionist Uve Baez welcomed Jameson Elijah Muniz on November 19, 2019, weighing in at 6 lbs. and 3 ozs. Both mamma and baby are doing fine!

Krista McDonald, *con't from page 1*

The program was experimental and its future by no means assured. Legal services programs had to show that the assumption underlying DAP was well-founded.

NLS tapped Krista to help with the creation of the DAP unit. DAP was totally new. Intake, case assignment, file maintenance and hearing procedures all had to be developed and implemented. Krista represented clients for 17 years and was widely viewed statewide to be one of the most effective advocates for clients. Krista's skill at representing clients helped assure that the DAP program would become an institution in legal services.

Then NLS received funding for another new program, helping SSI or SSD recipients who wanted to go back to work. Not surprisingly, NLS again turned to Krista to help create, from the ground up, what is now called the Western New York Work Incentives Planning and Assistance Project (WIPA). WIPA involves the intersection of very complicated statutes, regulations and policy manuals. But it wasn't too much of a challenge for Krista. WIPA now provides benefits counseling to 20 counties in New York State.

Since 1992 Krista has commuted to and from her home in Lockport by bus. When she was taking the #44, the trip took 1 ½ hours each way. When the #64 began running, the trip was reduced to one hour each way. When asked what was the one thing she looked forward to in retirement, Krista said, without hesitation, not having to take that bus!

It is rare indeed that a legal services program and its clients are served for so long, and with such excellent results, by an advocate. NLS was blessed the day Krista walked in its door. Losing her to retirement is bittersweet. All the best Krista!!



Have a Story to Share?

Email your story to Jim Morrissey at jmorrissey@nls.org

GIVING HELP GIVING HOPE

The mission of Neighborhood Legal Services, Inc. is to provide a full range of free civil legal representation to low income and disabled people residing in Erie, Niagara, Orleans, Genesee, and Wyoming Counties, in matters involving their financial security and the legal rights which affect the stability of families and individuals. Our goal is to create the greatest access to the justice system for those low-income and disabled people without the means to pursue their rights. Our mission also includes providing outreach and training services to underprivileged populations and the community agencies which serve them.